

RESOLUTION NO. 5-1988

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, INITIATING AN ANNEXATION OF TERRITORY TO THE CITY OF MILWAUKIE (AN-88-01).

WHEREAS, the City's Urban Services Policy mandates the creation of a rational urban services boundary to provide for efficient delivery of services; and

WHEREAS, annexation of the territory described in Exhibit A creates a rational urban service boundary; and

WHEREAS, annexation to the City of the territory so bounded would constitute a "minor boundary change" under the Boundary Commission law ORS 199.410 to 199.519, and a so-called "Island Annexation" under ORS 222.750; and

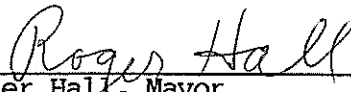
WHEREAS, by authority of ORS 199.490(5)(a) and 222.750 the City Council of the City may initiate the annexation; and

WHEREAS, the part of the territory that lies in the Clackamas Fire District #1 would, by operation of ORS 199.510(1), be automatically withdrawn from that district immediately upon consummation of the annexation.

NOW, THEREFORE, BE IT RESOLVED by Council of the City of Milwaukie that the Council, initiating annexation of the property described on Exhibit A (attached), adopts the findings listed on Exhibit B (attached) and requests the Boundary Commission to approve it and effect it as soon as possible.

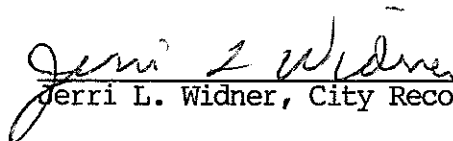
BE IT FURTHER RESOLVED that the City Recorder is directed to file certified copies of the statement of consent and of this Resolution with Portland Metropolitan Area Local Government Boundary Commission at once.

Introduced and adopted by the City Council on February 2, 1988.



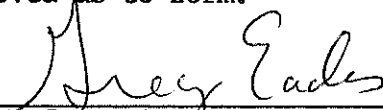
Roger Hall, Mayor

ATTEST:



Jerri L. Widner, City Recorder

Approved as to form:



Greg Eades, City Attorney

ANNEXATION

Beginning at the most westerly corner of Lot 1, Block 57, Milwaukie Heights, a duly recorded subdivision in Clackamas County, Oregon;

thence northeasterly along the northwesterly line of said Lot 1 to the northwesterly corner of said Block 57;

thence North to the centerline of Kellogg Creek or Kellogg Lake as it existed on July 2, 1902;

thence southeasterly following the centerline or thread of stream of Kellogg Creek to the Southeast corner of Tract D and the Southwest corner of Tract H in Cogswell's First Addition, a duly recorded subdivision, said point also being the most northerly corner of a parcel of land conveyed to Erich P. Reich in Instrument #69-18486, Deed Records;

thence South 29° 41' West (by P.S. 8356) along the northwesterly line of said Reich Tract, 192.54 feet, more or less, to the most westerly corner of said Reich Tract;

thence South 53° 08' East along the southwesterly line of said Reich Tract, 182.0 feet, more or less, to the West right-of-way line of S.E. Oatfield Road;

thence southwesterly along said right-of-way line of S.E. Oatfield Road, 20.0 feet, more or less, to the most northerly northeast corner of Lot 13, Filbert Knoll, a duly recorded subdivision;

thence North 52° 55' West (by plat) along the northerly line of said Filbert Knoll, 180.67 feet to the most northerly corner of said Filbert Knoll;

thence South 28° 13' West, 233.02 feet along the northwesterly line of said Filbert Knoll;

thence South 1° 00' East, 211.35 feet along the west line of said Filbert Knoll to a point;

thence South 88° 39' West, 295.1 feet to a point on the East line of Lot 3, Block 58, Milwaukie Heights, a duly recorded subdivision;

thence North 1° 00' West along the East line of said subdivision, 260.0 feet, more or less, to the Southeast corner of Lot 1, Block 58 of said Milwaukie Heights;

thence North 73° 14' West, 81.0 feet, more or less, to the Southeast corner of Lot 15, Block 55 of said Milwaukie Heights and a point on the westerly right-of-way line of Whitcomb Drive;

EXHIBIT "A"

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thence northerly along the westerly right-of-way line of said Whitcomb Drive, 621.60 feet to the most northerly corner of Lot 1 in said Block 55;

thence southwesterly along the northwesterly line of said Block 55, 200.0 feet to the most westerly corner of Lot 2 in said Block 55;

thence northwesterly across Short Street (aka 26th Avenue), 60.0 feet to the most southerly corner of Lot 22, Block 56 in said Milwaukie Heights;

thence northeasterly along the southeasterly line of said Block 56, 250.0 feet, more or less, to the Southwest corner of Lot 1, Block 57 in said Milwaukie Heights, and the point of beginning.

PARCEL #1

Beginning at the midpoint of the South line of Tract 1, Gibson's Subdivision of Tracts 10, 11, 12 and 13, and the West 480 Feet of Tracts 1 and 2 of the Logus Tracts, a duly recorded subdivision in Clackamas County, Oregon;

thence North, parallel with the East line of said Tract 1, 101.52 feet;

thence East, parallel with the north line of said Tract 1, 110.0 feet, to the East line of said Tract 1;

thence North along the East line of said Tract 1, 18.48 feet;

thence East, 60.0 feet, more or less, to a point;

thence South, 120 feet, more or less, to a point on the North right-of-way line of S.E. Firwood Street;

thence West, 170.0 feet, more or less, along the North right-of-way line of S.E. Firwood Street to the point of beginning.

PARCEL #2

Beginning at the Northeast corner of Lot 7 of the Logus Tracts, a duly recorded subdivision;

thence West along the North line of said Lot 7, 403.65 feet, more or less, to the Southeast corner of David Crest Subdivision, a duly recorded subdivision;

thence North 0°25' West along the most easterly line of said David Crest, 208.75 feet to the Northwest corner of a parcel of land described in Book 682, Page 797, Deed Records;

thence East along the North line of said parcel of land and parallel to the South line of the George Wills Donation Land Claim #42, 510.0 feet, more or less, to a point on the East line of Lot 4 of said Logus Tracts;

thence South along the East line of Lot 4 of said Logus Tracts, 188.75 feet to a point on the North right-of-way line of S.E. Willow Street;

thence East along the North right-of-way line of S.E. Willow Street, 54.58 feet, more or less;

thence South, 162.15 feet to a point 100.0 feet West of the Southeast corner of a parcel of land described by Instrument No. 71-32153;

thence West parallel to the North line of Lot 8 of said Logus Tracts, 160.9 feet to the West line of said Lot 8;

thence North along the West line of said Lot 8, 142.15 feet to the point of beginning.

PARCEL #3

Beginning at a point on the East line of Tract 8 of the Logus Tracts, a duly recorded subdivision, which lies 214.9 feet South of the Northeast corner of said Tract 8;

thence East, 115.63 feet to a point;

thence North, 57.28 feet;

thence East, 60.0 feet;

thence South, 147.28 feet to a point that is 95.0 feet North of the North right-of-way line of S.E. Drefshill Road;

thence easterly, 166.90 feet;

thence South, 1.47 feet to a point that is 93.0 feet North of the North right-of-way line of S.E. Drefshill Road;

thence East, parallel with the North right-of-way line of said S.E. Drefshill Road, 163.74 feet to a point on the West right-of-way line of S.E Stanley Avenue;

thence South, 123.0 feet along the West right-of-way line of S.E. Stanley Avenue to a point on the South right-of-way line of S.E. Drefshill Road;

thence West along said South right-of-way line of S.E. Drefshill Road, 126.0 feet to a point;

thence South, 134.5 feet, more or less;

thence West, 127.84 feet;

thence North 0°17' West, 11.3 feet;

thence West, 189.375 feet;

thence South, 294.0 feet to a point on the South right-of-way line of S.E. Logus Road which lies 1.55 feet West of the Northeast corner of Tract 18, Gibson's Subdivision of Tracts 10, 11, 12 and 13 and the West 480 Feet of Tracts 1 and 2 of the Logus Tracts;

thence West along the South line of Logus Road, 84.45 feet, more or less, to the southerly extension of the East line of Lot 8 of the Logus Tracts;

thence North, 629.59 feet along said southerly extension and said East line of said Lot 8, to the point of beginning.

EXHIBIT "B"

FINDINGS:

1. This proposal meets the criteria for island annexations as set forth in ORS 199.490(5a).
2. The territory contains 5.9 acres, an assessed value of \$817,990, 20 single-family residential lots with an estimated population of 52.
3. The City of Milwaukie is in the process of providing sewers to surrounding properties that were annexed as required under existing City policy. This action (AN-87-06 and B.C. #2469) created the islands but established the role of Milwaukie as logical and eventual provider of a major urban service to this area - sewers. Milwaukie has excess capacity in its arrangements with Kellogg Treatment Plant and can accommodate eventual sewer development here.
4. Milwaukie has in place 12" water lines in Drefshill, Stanley, and on west Firwood to 55th. This places Milwaukie in a better position to upgrade the existing water lines of 2" and 4" now serving these areas. It is presently being served by Clackamas Water District. Milwaukie has 8 wells with a storage capacity of 6 MG and an average daily use of 2.4 MGD. The ultimate provision of water service to this area will have a minimum impact on the City.

The present water lines are considered substandard to meet pressure and flow needs for adequate fire protection. One hydrant at the corner of Stanley and Drefshill is presently connected to Milwaukie's 12" line.

Since Milwaukie is in a better position to serve the water needs of this area, it will ultimately be withdrawn from Clackamas Water District. There is no outstanding bonded indebtedness.

5. The City can provide efficiently, effectively, and immediately for police and fire services with existing personnel. The City can also provide for the full range of urban services.
6. This action is compatible with the Comprehensive Plan in that the area is located in a logical growth area for the City, it established the responsibility for reviewing and coordinating public facilities, and it allows the City to plan for and develop a timely and efficient arrangement of sewer services. The area is also within a territory recognized as Milwaukie's area of interest by an IGA between Gladstone, Happy Valley, and Milwaukie, and within a sub-drainage basin identified in CSD #1 long-range sewer plans as being served by Milwaukie.
7. The area is within the City/County Dual Interest Area. This action is compatible with the agreement as it does not alter land use or zoning designations.

EXHIBIT "B"

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8. The City Urban Services Policy has been satisfied by the following:
 - a. Milwaukie acknowledged its role as primary provider of urban services by assisting an area outside its City Limits in obtaining a needed service - sewers.
 - b. Milwaukie can readily and efficiently deliver urban services to the area.
 - c. The City has initiated a public information process informing residents of the impact of this request on their services and costs.
 - d. This area is within the Interim Urban Services Boundary established in 1985 agreement between Milwaukie, Clackamas County, and Portland.